

REMARKS

Claims 20-27, 29-37 and 39 remain in this application. Claims 20 and 30 have been amended for purposes of clarification, and are not narrowed thereby. Claims 28 and 38 have been cancelled. By these amendments, no new matter has been added.

Traversal of Rejections Under 35 U.S.C. § 112

Claims 20, 28, 30 and 38 were rejected under 35 U.S.C. § 112, as failing to comply with the enablement requirement. These rejections are respectfully traversed. Claims 20 and 30 have been amended to replace "zone file of a higher-level domain" with "the name service records." Support for the amendment may be found, among other places, in the specification at page six, first paragraph. Claims 28 and 38 have been cancelled. These rejections should therefore be withdrawn.

Traversal of Rejections Under 35 U.S.C. § 103

Claims 20-39 were rejected under 35 U.S.C. § 103(a) as unpatentable over Wooley, Choudry, Reuters and official notice. These rejections are respectfully traversed. These references fail to make out a *prima facie* case of obviousness against the rejection.

Wooley discloses cybersquatting as a business model: a large number of fully-qualified domains are registered and held, and subdomains of the fully-qualified domains are leased out to customers. Wooley fails to disclose or suggest any of the following four elements defined by claims 20 and 30:

obtaining fully-qualified domain names associated with different corresponding host IP addresses in resource records of domain name servers from a plurality of domain name holders;

communicating with the domain name servers to effect reassignment of name service records for the fully-qualified domain names, whereby the fully-qualified domain names are pointed to at least

one IP address of a subdomain management system;

maintaining a database of subdomain labels for the fully-qualified domain names, wherein each subdomain label is not associated with an IP address in the name service records, the database accessible by the subdomain management system and relating each subdomain label to a user-determinable address for content and to at least one of the fully-qualified domain names; and

providing an interface interoperable with the database to relate user-selected subdomain labels with user-selected ones of the fully-qualified domain names to provide domain names, each domain name comprising a fully-qualified domain name and at least one subdomain label to the left of the fully-qualified domain name.

Woolley does not disclose obtaining fully-qualified domain names from a plurality of domain name holders. To the contrary, Woolley discloses registering a category of domains "that hadn't been taken." Page 2, ¶ 5. Indeed, Mailbank's business model depends on registering unused fully-qualified domain names and holding these names for its own. Page 2, ¶ 10.

Likewise, Woolley further fails to disclose or suggest communicating with domain names holders to effect reassignment of name service records, maintaining a database of subdomain labels, or providing an interface interoperable with the database. Choudhry does not make up for these deficiencies of Woolley. Choudhry discloses modifying an existing domain name server platform to intercept unrecognized web browser queries to a specified IP address, using a wildcard character in a DNS table. Col. 4, lines 40-50; col. 6, lines 10-33. A server script is used to resolve unknown addresses by accessing a database of "virtual" subdomain names. Col. 4, lines 50-58; col. 6, lines 51-62. The database maps unknown addresses to actual subdirectories on a server. Id. Choudhry therefore discloses using a wildcard entry at a domain name server to redirect unknown requests received by the domain name server to a second server, which redirects requests for subdomains that are not registered at the domain name server to mapped content. See, e.g., Fig. 5 at 50-54; col 6, line 50 – col. 7, line

14.

Choudhry, therefore fails to disclose or suggest maintaining a database of subdomain labels for plural fully-qualified domain names, as defined by claims 20 and 30. Instead, Choudhry discloses using an individual domain name server browser to handle incoming browser requests directed to the single domain only. Likewise, Choudhry fails to disclose or suggest providing an interface to relate user-selected subdomain labels with user-selected plural fully-qualified domain names, as also defined by claims 20 and 30. Nor does Choudhry make up for the other deficiencies of Woolley. Choudhry fails to disclose or suggest obtaining fully-qualified domain names from a plurality of domain name holders, or communicating with the domain name servers to effect reassignment of name server records. In summary, the combination of Woolley and Choudhry fails to disclose any of the four steps defined by claims 20 and 30 set forth above.

Reuters ("Mattel Sues Over Barbie Web Names") fails to make up for the deficiencies of Woolley and Choudhry. Woolley merely discloses displaying a list of domain names for sale or leasing. As in Woolley, the domain names being sold or leased are simply registered by the seller with this purpose in mind. Reuters therefore adds nothing to Woolley or Choudhry.

The Office Action states that the rejections under 103(a) are being made in view of Official Notice. However, it is not clear what facts are being taken official notice of. Official notice "should only be taken by the examiner where the facts asserted to be well-known, or to be common knowledge in the art are capable of instant and unquestionable demonstration as being well-known." M.P.E.P. § 2144.03 A. It is therefore requested that any facts being officially noticed be identified with particularity, so that the question of whether or not the noticed facts are adequately well-known can be fairly considered. To preserve the question for the time being, applicant requests that any fact being taken notice of be supported by a prior-art reference.

Failing to disclose all of the elements of independent claims 20 and 30, Woolley,

Choudhry and Reuters therefore do not make out a *prima facie* case of obviousness against these claims. Claims 21-27, 29, 31-37 and 39 are therefore also allowable, at least as depending from allowable base claims.

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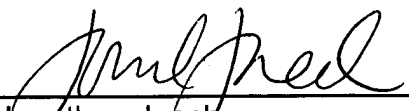
In view of the foregoing, the Applicants respectfully submit that Claims 20-27, 29-37 and 39 are in condition for allowance. Reconsideration and withdrawal of the rejections is respectfully requested, and a timely Notice of Allowability is solicited.

To the extent it would be helpful to placing this application in condition for allowance, the Applicants encourage the Examiner to contact the undersigned counsel and conduct a telephonic interview.

To the extent necessary, Applicants petition the Commissioner for a two-month extension of time, extending to January 25, 2006 the period for response to the Office Action dated August 25, 2005. The Commissioner is authorized to charge any fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-3683.

Respectfully submitted,

Date: January 25, 2006



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Serial No. 09/773,298
January 24, 2006
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58688

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